

REMARKS

It is noted that claims 1-21 are pending in the application and all of the claims stand rejected on their merits as discussed more fully below.

Claim 2 stands rejected under 35 U.S.C. § 112 based on the Examiner's holding that the term "pause control interface" is not described in the specification. Paragraph No. 16 in the specification has been replaced with a replacement paragraph that introduces the phrase "pause control interface" and how the phrase is defined in accordance with structure and function described in the specification as filed. No new matter has been added. Accordingly, it is respectfully requested that the Examiner's rejection under 35 U.S.C. § 112 be withdrawn.

On the merits, claims 1-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the cited Goss published patent application No. 2002/0185917 A1 and U.S. Patent No. 3,602,666 to Arenhold. The Examiner acknowledges that Goss "fails to teach a push-button switch to connect the power source to the audio device." The Examiner has taken the position that Arenhold "teaches a control interface (9) having a manual push-button switch (i.e., momentary contact switch) (1) on a power cord between a power source and a load that when [the switch is] pressed completes a circuit which allows power to be supplied to the load", citing to the Arenhold specification. From this the Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention "to incorporate a manual push-button switch into the control interface of Goss' invention so that one could quickly and efficiently control the power supplied to the audio device without having to reprogram the timer or use a key."

Applicant's independent claims 1, 13 and 21, and thus also dependent claims 2-12 and 14-20, have been amended to more clearly define applicant's claimed invention. For example,

claim 1 has been amended to call for the push-button switch as being mutually cooperable with the control interface to require continuous manual activation of a finger or a thumb actuated push button on the switch by a user to connect the audio device to the power supply, the push button switch being operative to automatically disconnect the audio device from the power-source in response to deactivation of the push button. In this respect, applicant's specification clearly states that an object of his invention is to employ a control interface in the form of an adaptor, and includes a push-button actuator switch operatively associated with the adaptor and having normally open switch contacts responsive to light pressure depression of the push button to control a power circuit to a tape-player (audio device) whereby distraction or dozing of the listener normally causes the push-button actuator to be released and remotely stops the tape player at a precise position enabling play to continue at the precise stop position upon subsequent actuation of the push-button actuator switch. (Paragraph 0007 of applicant's specification)

In contrast to applicant's claimed invention, the Arenhold patent discloses a foot-operated electric switch for controlling lighting equipment such as bedside lamps, desk lamps, standard lamps and the like. Arenhold specifically states: "The switch lies on the ground and is actuated by foot." (Column 1, line 19) Arenhold describes his contactor switch 15 as being mounted between the two half-shelves 3 and 4 and being adapted to "function when the two half-shelves are brought together, for example, as a result of pressure exerted by the foot of the user upon one of the half-shelves." (Col. 2, lines 8-11.) While it is not fully understood what Examiner Parries means by his statement that the Arenhold switch is a "momentary contact switch", Arenhold clearly teaches that his contactor switch is intended to lie on a plain surface, such as a floor, and is actuated by the user's foot with the contactor switch being "adapted to light or extinguish an electric lamp connected thereto." (Column 1, lines 35-36 by actual count). It is inconceivable

that the Arenhold contactor switch is actuated to light a bedside lamp, desk lamp or other lamp or electronic device only when actuated by the user's foot. Thus, it is submitted that the contactor switch utilized in the Arenhold foot-operated electric switch is an on-off switch which is actuated (turned on) as a result of pressure exerted by the foot of the user, and is subsequently turned off or deactivated by subsequent pressure actuation by the user's foot.

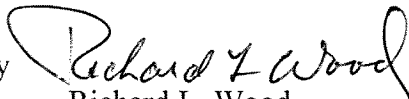
Of equal importance is the fact that the Goss reference does not teach or suggest use of a switch device that requires continuous manual activation of a finger or thumb actuated push button to connect an audio device to a power source, as called for in applicant's claims. The Goss reference clearly teaches a keyed power switch (Fig. 1), a timer (Fig. 2), a keyed power switch (Fig. 3) and another embodiment employing a timer (Fig. 4). There is no motivation taught by either the cited Goss or Arenhold references that would lead one "to incorporate a manual push-button switch into the control interface of Goss' invention so that one could quickly and efficiently control the power supplied to the audio device [of Goss] without having to reprogram the timer or use a key" as suggested by the Examiner. To do so would destroy the Goss reference for its intended purpose. Moreover, as aforementioned, the Arenhold reference clearly discloses a contactor switch which by necessity is an on-off switch so that the user does not have to maintain his/her foot in continual pressure contact with the foot operated Arenhold switch.

For the foregoing reasons, it is respectfully submitted that Applicant's claims as now amended clearly distinguish over the Goss and Arenhold references, taken either individually or in combination. Accordingly, allowance of Applicant's amended claims 1-21 is believed to be in order and such action is earnestly solicited.

Should the Examiner determine that a telephone discussion of any aspect of Applicant's claimed invention would expedite prosecution of the application, he is encouraged to telephone Applicant's undersigned attorney.

Respectfully submitted,

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